



General Assembly

February Session, 2002

Raised Bill No. 143

LCO No. 306

Referred to Committee on Select Committee on Children

Introduced by:
(KID)

***AN ACT CONCERNING GRANDPARENTS CARING FOR
GRANDCHILDREN AND FOSTER CARE SUBSIDIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-126 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2002*):

3 (a) As used in this section, "relative caregiver" means a person who
4 is caring for a child related to such person because the parent of the
5 child has died or become otherwise unable to care for the child for
6 reasons that make reunification with the parent not a viable option
7 within the foreseeable future and "commissioner" means the
8 Commissioner of Children and Families.

9 (b) The Commissioner of Children and Families shall establish a
10 program of subsidized guardianship for the benefit of children (1) in
11 the care or custody of the commissioner who (A) are living with
12 relative caregivers that have been appointed the guardians or
13 coguardians of the children by courts of competent jurisdiction, and
14 [who] (B) have been in foster care or certified relative care for [not less
15 than eighteen months. The commissioner, within available
16 appropriations, may establish a program of subsidized guardianship
17 for the benefit of children in the care or custody of the commissioner

18 who are living with relative caregivers and who have been in foster
 19 care or certified relative care for not less than twelve but not more than
 20 eighteen months] at least twelve months, and (2) not in the care or
 21 custody of the commissioner who are living with relative caregivers
 22 that have been appointed guardians or coguardians of the children by
 23 courts of competent jurisdiction. A relative caregiver may request a
 24 guardianship subsidy from the commissioner. If adoption of the child
 25 by the relative caregiver is an option, the commissioner shall counsel
 26 the caregiver about the advantages and disadvantages of adoption and
 27 subsidized guardianship so that the decision by the relative caregiver
 28 to request a subsidized guardianship may be a fully informed one.

29 (c) The subsidized guardianship program shall provide the
 30 following subsidies: [for the benefit of any child in the care of a relative
 31 caregiver who has been appointed the guardian or coguardian of the
 32 child by any court of competent jurisdiction:] (1) A special-need
 33 subsidy, which shall be a lump sum payment for one-time expenses
 34 resulting from the assumption of care of the child when no other
 35 resource is available to pay for such expense; [and] (2) a medical
 36 subsidy comparable to the medical subsidy to children in the
 37 subsidized adoption program if the child lacks private health
 38 insurance; [. The subsidized guardianship program shall also provide]
 39 and (3) a monthly subsidy on behalf of the child payable to the relative
 40 caregiver. [that] The monthly subsidy (A) for children described in
 41 subdivision (1) of subsection (b) of this section shall be equal to the
 42 prevailing foster care rate, and (B) for children described in
 43 subdivision (2) of subsection (b) of this section shall be equal to the
 44 prevailing foster care rate minus the amount of any (i) benefits for
 45 survivors under the Social Security Act, (ii) federal Social Security
 46 disability benefits, and (iii) temporary family assistance benefits
 47 received for such child. The commissioner may establish an asset test
 48 for eligibility under the program, provided the test only applies to the
 49 child's assets.

50 (d) The commissioner shall adopt regulations in accordance with

51 chapter 54 implementing the subsidized guardianship program
52 established under this section. Such regulations shall require, as a
53 prerequisite to payment of a guardianship subsidy for the benefit of a
54 minor child, that a home study report be filed with the court having
55 jurisdiction of the case of the minor within fifteen days of the request
56 for a subsidy, provided that no such report shall be required to be filed
57 if a report has previously been provided to the court or if the caregiver
58 has been determined to be a certified relative caregiver by the
59 commissioner. The regulations shall also establish a procedure
60 comparable to that for the subsidized adoption program to determine
61 the types and amounts of the subsidy to be granted by the
62 commissioner as provided in subsection (c) of this section, for annual
63 review of the subsidy as provided in subsection (e) of this section and
64 for appeal from decisions by the commissioner denying, modifying or
65 terminating such subsidies.

66 (e) The guardianship subsidy provided under this section shall
67 continue until the child reaches the age of eighteen or the age of
68 twenty-one if such child is in full time attendance at a secondary
69 school, technical school or college or is in a state accredited job training
70 program. Annually, the subsidized guardian shall submit to the
71 commissioner a sworn statement that the child is still living with and
72 receiving support from the guardian. The parent of any child receiving
73 assistance through the subsidized guardianship program shall remain
74 liable for the support of the child as required by the general statutes.

75 (f) A guardianship subsidy shall not be included in the calculation
76 of household income in determining eligibility for benefits of the
77 relative caregiver of the subsidized child or other persons living within
78 the household of the relative caregiver.

79 (g) Payments for guardianship subsidies shall be made from
80 moneys available from any source to the commissioner for child
81 welfare purposes. The commissioner shall develop and implement a
82 plan that: (1) Maximizes use of the subsidized guardianship program

83 to decrease the number of children in the legal custody of the
 84 Commissioner of Children and Families and to reduce the number of
 85 children who would otherwise be placed into foster care when there is
 86 a family member willing to provide care; (2) maximizes federal
 87 reimbursement for the costs of the subsidized guardianship program,
 88 provided whatever federal maximization method is employed shall
 89 not result in the relative caregiver of a child being subject to work
 90 requirements as a condition of receipt of benefits for the child or the
 91 benefits restricted in time or scope other than as specified in subsection
 92 (c) of this section; and (3) ensures necessary transfers of funds between
 93 agencies and interagency coordination in program implementation.
 94 The Commissioner of Children and Families shall seek all federal
 95 waivers as are necessary and appropriate to implement this plan.

96 Sec. 2 (NEW) (*Effective July 1, 2002*) There is established a
 97 grandparents as parents program within the Department of Social
 98 Services to provide support for grandparents who raise a grandchild.
 99 The program shall (1) serve as a clearinghouse for information
 100 regarding services available in the state for relative caregivers, and (2)
 101 provide training on the needs of relative caregivers and available
 102 services to meet such needs. The training shall be offered to relevant
 103 professionals, including, but not limited to, caseworkers within the
 104 Departments of Children and Families and Social Services and staff of
 105 any court of competent jurisdiction.

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>

Statement of Purpose:

To expand eligibility for the subsidized guardianship program. To establish the grandparents as parents program within the Department of Social Services to provide information on available services to meet the needs of grandparents who are raising grandchildren and to provide training to professionals.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]